IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2448 OF 2003

Vinodkumar K. Shah ... Petitioner

v/s

Vijaykumar D. Mehta ... Respondent

Mr S.M. Gorwadkar for Petitioner.

Mr N.B. Shah for Respondent.

CORAM : D.K. DESHMUKH J.

DATE : 29TH JUNE 2005.

P.C. :-

1. Heard learned counsel for both the sides. By consent of parties, petition is disposed off in following terms :-

. (i) Within a period of four weeks from today, the respondent has agreed to make an application before the Executing Court claiming that he has not only paid the decretal amount but something in excess and seek appropriate order in that regard from the Executing Court.

. (ii) If such an application is made within the aforesaid period of four weeks, the Executing Court shall decide that application after granting an opportunity of being heard to the petitioner in accordance with law. It is clarified that the Executing Court while deciding the application shall not get influenced by the observations made in the order which is impugned in the petition. Petition is disposed off.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Personal Secretary of this Court as true copy.

. Certified copy expedited.